

balances existing that ensure that a road will not be reclassified to the detriment of the public. In order for a road to be reclassified, the county board must submit its recommendation to the Department of Roads and request a reclassification. The Department of Roads may either approve or deny the request. If the county is not satisfied, they may appeal to the State Board of Classifications and Standards who can hold a public hearing on the reclassification and the State Board will then make the final decision. The standards for a minimum maintenance classification will be established by the Board of Public Roads Classifications and Standards after holding public hearings on the matter. The bill does include some specific criteria for standards as follows: The county may remove defective bridges and culverts to protect public safety and replace it with some structure to ensure public safety. The county must install signs to warn the public they are entering a road that has a lower level of maintenance. The counties will continue to maintain these roads to the level established by the Board of Roads Classification and Standards. This continued maintenance will ensure that these roads will continue to serve the few people who presently use the road and also ensure the existence of the road when the public needs a change again and a demand for a higher classification of that road. The liability: The counties remain liable for injuries to persons or property due to the county's negligence in maintaining the roads to the standards set by the Board of Roads Classifications and Standards. The Attorney General in an opinion #43 made in 1969 stated as long as the counties were required to maintain the road the county remains liable for damages caused by the county's failure to maintain it to the level required. LB 611 does not change the county's responsibility to post weight limit signs on bridges or to install stop signs or any other traffic control device. The counties will still be liable to the public for damages caused by negligent defects in the roads such as failure to have a bridge weight limit sign or a stop sign and now LB 611 will make the counties liable if warning signs are not installed as required. You've talked a great deal about this. As you all know, times have changed especially in our rural areas. The only other alternative the counties have would be to close the road in a legal manner, and in the counties that I worked with, we decided not to do this because once you close a road, the land goes back to the landowner, each half of it, each 33 feet, and if you would have to put a road in there later, you would have to buy the land back. So I think it is to the advantage of all of us that those roads be left on a county system, and you also know that with a seven percent lid it is impossible for the county to keep up all the roads to the standards that they should be kept up. And this, of course, would not